

# Consultation on local connection requirements for social housing for victims of domestic abuse

National Domestic Abuse Group submission in response to the Department for Levelling up, Housing and Communities.

10 May 2022

## Background

During the passage of the Domestic Abuse Act 2021, concerns were raised relating to local connection tests for domestic abuse victims who apply for social housing.

The Department for Levelling Up, Housing, and Communities is seeking views on:

- Proposals to introduce regulations to enable victims of domestic abuse who need to move to another local authority district to qualify for an allocation of social housing in the new area, and;
- How local authorities are making use of the existing legislation and guidance to support victims of domestic abuse who wish to move within and across local authority boundaries.

## About the National Domestic Abuse Group

The purpose of the National Domestic Abuse Group is to raise awareness of the issues of domestic abuse at a strategic level and encourage housing associations to work together and ensure a consistent and high standard of response to domestic abuse across the social housing sector.

In order to achieve its purpose, the group seeks to:

- Raise the profile of the role of housing associations in identifying incidences of domestic abuse and supporting victims
- Share best practice within the sector and encourage housing associations to take practical steps to addressing domestic abuse issues
- Establish specific links with marginalised sections of society such as BME, LGBTQ and disabled people to understand domestic abuse issues from their perspective and how housing associations can provide better support
- Develop and maintain partnerships outside of the social housing sector to improve relationships and joined up working both locally and nationally
- Improve understanding of the local context to improve for victims of domestic abuse and ensure all relevant stakeholders are informed of the work of the group

The group is open to all members of the National Housing Federation and consists of representatives from local authorities and other housing associations to inform the work of the group. Members of the group support its purpose by making practical improvements within their organisations and working with national and local stakeholders to further its aims.

The group includes representatives from the following organisations:

- Clarion Housing Group
- Westward Housing
- Stonewater
- Longhurst Group
- Poplar HARCA
- Islington Council
- Oasis Community Housing
- Octavia Housing
- Sandwell Council
- South Cambridgeshire District Council

## Consultation Response

The National Domestic Abuse Group welcomes this consultation seeking to address concerns raised regarding local connection tests for domestic abuse victims who apply for social housing. We have answered the consultation's questions below, specifically on the government's proposals to introduce regulations to enable victims of domestic abuse who need to move to another local authority district to qualify for an allocation of social housing in a new area.

**Q2)** The government proposes to make regulations to require local authorities to ensure that domestic abuse victims are exempt from any local connection or residency requirements as part of their qualification criteria for applicants for social housing. Do you agree?

We agree, local connection and residency requirements can be a significant barrier for a survivor to move to a location where they feel safe and can start to rebuild their lives. Introducing an exemption to this requirement will provide survivors with greater choice of where to live and could help alleviate pressures from local authorities that do not have the capacity to house victims within their area. Lack of suitable accommodation sometimes results in domestic abuse survivors being faced with homelessness or residing in temporary accommodation causing further unsettlement for the survivor and their family.

**Q5)** Do respondents agree that local connection should be defined by reference to Section 199 of the Housing Act 1996?

We agree. The Housing Act 1996 definition is clear and transparent.

**Q6)** Do respondents consider that exemptions of local connection or residency tests for domestic abuse victims should be time limited? If so, what length of time is appropriate, when should the period begin and who should make the assessment?

We disagree with the proposal to introduce a time limit to the exemption as we believe this will defeat the purpose of ensuring the victim's safety and wellbeing long term. A time limit exemption creates yet another challenge for the victim and depending on how much time is granted, may not be sufficient enough for the victim to be able to rebuild their lives. As well as overall stability, time limited exemptions are likely to result in increased disruption in the survivor's life for example, newly established support networks and children's schooling.

However, should this route be considered, it is important to note the difficulty in setting out a specific length of time as domestic abuse cases often vary based on individual circumstances. We therefore recommend that any time limit should start at a minimum of 12 months with the added option to extend that period. An extension could involve a multi-agency case review to determine suitability, however, the process must be efficient without any red tape and should not be burdensome for the survivor.

**Q7)** Alternatively, do respondents consider, instead of having a time limited exemption, that we should provide for ensuring exemptions from local connection or residency tests apply where the need to move to a new area relates to reasons connected with domestic abuse?

Yes, exemptions from local connections or residency tests should apply. We do not think there should be a residency test especially where there is a need to move to a new area as a result of domestic abuse. Moving to a new area is likely to result in the survivor feeling safer and in a better position to rebuild their life. A fair and consistent approach would need to be established for local authorities to make effective decisions concerning the need for a social housing applicant to move to a new area.

**Q8)** Do respondents agree that the proposed exemption to local connection and residency tests should extend to social housing applications made in England where the victim has fled from elsewhere in the UK?

Yes, we agree. Victims may have support networks elsewhere or may need to move further away to feel safe.

**Q9)** Do respondents agree that the proposed exemption from local connection and residency tests should be applied to domestic abuse victims in privately rented accommodation, privately owned housing, and temporary accommodation? If not, please explain why.

Yes, we agree. It should be the same across all types of housing.

**Q11)** Is there a need for further statutory guidance with regards to collecting evidence of domestic abuse to support local authorities when considering applications for social housing, to make sure the vulnerabilities of the victim and needs of the local authority are balanced. If so, what might this include?

Yes, supported by independent domestic violence advisers (IDVA) or domestic abuse support agencies as well as multi-agency risk assessment conferences (MARAC) and tools such as Domestic Abuse, Stalking and Honour based violence assessment tool (DASH) ratings. An ongoing support package for the victims needs to be considered. The LA could have some guidance on questions to ask during an interview and conduct a risk assessment.

**Q13)** Are there any barriers that prevents neighbouring local authorities from working together to support domestic abuse victims and their families applying for social housing outside their area?

Yes, there are a number of barriers that exist for local authorities in supporting domestic abuse victims' applications for social housing outside their area. The shortage in social housing creates challenges in being able to respond to local demand and therefore applications from families based locally are prioritised.

In addition, improved information sharing between local authorities and other related organisations could help facilitate collaborative working and reduce the burden of survivors repeatedly providing evidence of their experience to several organisations, as well as, enable efficient identification of individuals that should be exempt from the local connection requirements as part of their application.